



DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below-named inventor(s), I hereby declare  
that:

My residence, post office address and citizenship  
are as stated below next to my name.

I believe I am the original, first and joint  
inventor of the subject matter which is claimed and for which  
a patent is sought on the invention, design or discovery  
entitled METHOD AND MESSAGE THEREFOR OF MONITORING THE SPARE  
CAPACITY OF A DRA NETWORK, the specification of which

\_\_\_\_\_ is attached hereto.

  X   was filed on September 11, 1998, as  
Application Serial No. 09/152,008.

I hereby state that I have reviewed and understand  
the contents of the above-identified specification, including  
the claims, as amended by any amendment(s) referred to above;  
that I do not know and do not believe that said invention,  
design or discovery was ever known or used in the United  
States of America before my invention or discovery thereof, or  
patented or described in any printed publication in any  
country before my invention or discovery thereof, or more than  
one year prior to this application, or in public use or on  
sale in the United States of America more than one year prior  
to this application; that said invention, design or discovery  
has not been patented or made the subject of an inventor's  
certificate issued prior to the date of this application in

any country foreign to the United States of America on an application filed by me or my legal representatives or assigns; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| <u>Application<br/>Serial Number</u> | <u>Date Filed</u> | <u>Status</u> |
|--------------------------------------|-------------------|---------------|
| 09/038,531                           | March 11, 1998    | Pending       |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

|                   |                       |
|-------------------|-----------------------|
| <u>60/040,536</u> | <u>March 12, 1997</u> |
| (Application No.) | (Filing Date)         |

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

|                      |                         |
|----------------------|-------------------------|
| Stephen J. Pentlicki | Registration No. 40,125 |
| Jacob Eisenberg      | Registration No. 43,410 |
| Timothy D. Casey     | Registration No. 33,124 |
| Deborah Miller       | Registration No. 37,679 |

all of the firm of MCI WorldCom, Inc., and Louis Woo, Registration No. 31,730, of the Law Offices of Louis Woo, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities and to file any continuation, divisional, continuation-in-part, reissue or re-examination applications thereon.

Direct all telephone calls to:

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|---------------------------------|---|
| Full name of first inventor:    | Sig H. Badt, Jr.                          |
| Inventor's signature:           | <u><i>Sig H. Badt, Jr.</i></u>            |
| Date:                           | <u>3/12/99</u>                            |
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